



General Assembly

January Session, 2009

Amendment

LCO No. 7488

SB0015407488SD0

Offered by:

SEN. DEFRONZO, 6th Dist.
SEN. COLEMAN, 2nd Dist.
SEN. FRANTZ, 36th Dist.
SEN. KISSEL, 7th Dist.
SEN. LEBEAU, 3rd Dist.
REP. GUERRERA, 29th Dist.

REP. BARAM, 15th Dist.
REP. BERGER, 73rd Dist.
REP. CONWAY, 61st Dist.
REP. HORNISH, 62nd Dist.
REP. SAYERS, 60th Dist.

To: Subst. Senate Bill No. **154**

File No. 389

Cal. No. 298

**"AN ACT CONCERNING THE ADMINISTRATION OF BRADLEY
INTERNATIONAL AIRPORT."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (b) of section 15-101mm of the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective from passage*):

6 (b) The Bradley Board of Directors shall consist of seven members,
7 appointed as follows: The Commissioner of Transportation and the
8 Commissioner of Economic and Community Development, each
9 serving ex officio, a representative appointed by the speaker of the
10 House of Representatives from the Connecticut Transportation
11 Strategy Board, created by section 13b-57e, a representative appointed

12 by the minority leader of the House of Representatives from among
13 the members of the Bradley International Community Advisory Board,
14 as created by section 15-101pp and three private sector members
15 appointed as follows: [(A)] (1) The Governor shall appoint one
16 member, who shall be the chairperson, and whose first term shall
17 expire on June 30, 2005, [(B)] (2) the president pro tempore of the
18 Senate shall appoint one member whose first term shall expire on June
19 30, 2005, [(C)] (3) the minority leader of the Senate shall appoint one
20 member whose first term shall expire on June 30, 2005. The term of
21 office of each successor shall be four years. The term of each appointed
22 member of the Bradley Board of Directors shall expire on June 30, 2009,
23 or when such member's successor is appointed and has qualified,
24 whichever is later. On and after July 1, 2009, the Bradley Board of
25 Directors shall consist of the Commissioner of Transportation and the
26 Commissioner of Economic and Community Development, each
27 serving ex officio, and seven members appointed with the advice and
28 consent of the General Assembly, as follows: A representative
29 appointed by the speaker of the House of Representatives from the
30 Connecticut Transportation Strategy Board established by section 13b-
31 57e; a representative appointed by the minority leader of the House of
32 Representatives from among the members of the Bradley International
33 Community Advisory Board established by section 15-101pp, and five
34 private sector members appointed as follows: (A) The Governor shall
35 appoint three members, one of whom shall be the chairperson, (B) the
36 president pro tempore of the Senate shall appoint one member, and (C)
37 the minority leader of the Senate shall appoint one member. The term
38 of office of each appointed member shall be four years, or until such
39 member's successor is appointed and has qualified, whichever is later.

40 Sec. 2. Section 15-101nn of the general statutes is repealed and the
41 following is substituted in lieu thereof (*Effective July 1, 2009*):

42 The Bradley Board of Directors shall have the duty and authority to:
43 (1) [In consultation with the Commissioner of Transportation, develop]
44 Develop an organizational and management structure that will best
45 accomplish the goals of Bradley International Airport; (2) approve the

46 annual capital and operating budget of Bradley International Airport;
47 (3) act in cooperation with the Connecticut Transportation Strategy
48 Board, created pursuant to section 13b-57e; (4) advocate for Bradley
49 International Airport's interests and ensure that Bradley International
50 Airport's potential as an economic development resource for the state
51 and region are fully realized; (5) ensure that an appropriate mission
52 statement and set of strategic goals for Bradley International Airport
53 are established and that progress toward accomplishing the mission
54 and strategic goals is regularly assessed; (6) approve Bradley
55 International Airport's master plan; (7) establish and review policies
56 and plans for marketing the airport and for determining the best use of
57 airport property; (8) ensure appropriate independent expertise is
58 available to advise the Bradley Board of Directors, particularly in the
59 areas of strategy and marketing and select consultants as necessary, for
60 purposes related to strategy and marketing, pursuant to procedures
61 established by the board; (9) employ managerial employees, as defined
62 in section 5-270, and establish the salary of such employees, which
63 shall be paid from the Bradley Enterprise Fund; (10) ensure customer
64 service standards, performance targets and performance assessment
65 systems are established for the airport enterprise; [(10)] (11) approve
66 community relations policies and ensure that the community advisory
67 board, created pursuant to section 15-101pp, operates effectively to
68 ensure that community comment and information is regularly and
69 fully considered in decisions related to Bradley International Airport;
70 [(11)] (12) create a code of conduct for the Bradley Board of Directors
71 consistent with part I of chapter 10; [(12)] (13) report to the Governor
72 and the General Assembly on an annual basis; [(13)] (14) establish
73 procedures to review and approve significant contracts, other than
74 collective bargaining agreements, relating to the operation of Bradley
75 International Airport prior to approval; [, which procedures shall
76 require completion of each such review no later than ten business days
77 after the board receives the contract; and (14)] (15) develop, jointly,
78 with the State Contracting Standards Board, on or before June 30, 2010,
79 a streamlined competitive bidding procedure for the selection of
80 construction contractors, airport vendors and professional and other

81 services. Such bidding procedure shall comply with all federal
82 requirements for the receipt of federal funds for the airport; and (16)
83 adopt rules for the conduct of its business which shall not be
84 considered regulations, as defined in subdivision (13) of section 4-166.

85 Sec. 3. Section 15-101oo of the general statutes is repealed and the
86 following is substituted in lieu thereof (*Effective July 1, 2009*):

87 [For administrative purposes only, the] The Bradley Board of
88 Directors shall [perform its functions] be within the Department of
89 Transportation, for administrative purposes only. The administrative
90 functions of the board of directors shall be performed by the
91 Department of Transportation and the costs thereof [, including the]
92 may be reimbursed by the Enterprise Fund. The cost of consultants
93 [recommended to advise] selected by the Bradley Board of Directors [,]
94 may be reimbursed or paid by the Enterprise Fund. Consultants
95 [recommended] selected by the Bradley Board of Directors shall be
96 engaged by the Department of Transportation but shall report to the
97 Bradley Board of Directors. The selection and engagement of
98 consultants [for] by the Bradley Board of Directors shall be exempt
99 from sections 13b-20b to 13b-20m, inclusive, and sections 4-212 to 4-
100 219, inclusive.

101 Sec. 4. (*Effective from passage*) The Bradley Board of Directors of
102 Bradley International Airport shall study the functions and activities of
103 said board and airport that are subject to any provision of the general
104 statutes or of any public or special act, in order to determine if any
105 such provisions prevent or delay the ability of the board to discharge
106 its legal duties and responsibilities for the operation and development
107 of the airport. The board shall report, in accordance with the
108 provisions of section 11-4a of the general statutes, to the joint standing
109 committee of the General Assembly having cognizance of matters
110 relating to Bradley International Airport, not later than February 15,
111 2010, with respect to any such provision and shall (1) describe the
112 specific manner in which such provision results in prevention or delay,
113 and (2) make recommendations for amendment, repeal or exemption

114 from such provisions.

115 Sec. 5. (NEW) (*Effective from passage*) There is established an airport
 116 development zone, which comprises the following census tract blocks
 117 in the towns of Windsor Locks, Suffield, East Granby and Windsor:

118	090034701001022,	090034701003000,	090034701003001,
119	090034701003002,	090034701003003,	090034701003004,
120	090034701003005,	090034701003017,	090034701003018,
121	090034701003019,	090034701003020,	090034701003021,
122	090034701003025,	090034701003026,	090034735022009,
123	090034735022010,	090034735022011,	090034735022012,
124	090034735022013,	090034735025004,	090034735027000,
125	090034735029000,	090034735029001,	090034735029002,
126	090034735029003,	090034735029004,	090034735029006,
127	090034761009000,	090034761009010,	090034761009011,
128	090034761009012,	090034761009013,	090034762001023,
129	090034762001025,	090034762002009,	090034762002013,
130	090034763003004,	090034763009000,	090034763009001,
131	090034763009002,	090034763009003,	090034763009004,
132	090034763009005,	090034763009006,	090034763009007,
133	090034763009008,	090034763009009,	090034763009010,
134	090034763009011,	090034763009012,	090034763009013,
135	090034763009014,	090034763009015,	090034763009016,
136	090034763009017,	090034763009018,	090034763009020,
137	090034763009021,	090034763009022,	090034763009023,
138	090034763009024,	090034763009025,	090034763009026,
139	090034763009031,	090034763009033,	090034771014005,
140	090034771014011,	090034771014012,	090034771014013,
141	090034771014014,	090034771014017,	090034771014018,
142	090034771014019,	090034771014020,	090034771023025,
143	090034771023026,	090034771023027,	090034771023036,
144	090034701003006,	090034701003022,	090034701003023,
145	090034701005000,	090034761001039,	090034763009028.

146 Sec. 6. (NEW) (*Effective October 1, 2010, and applicable to assessment*
 147 *years commencing on or after October 1, 2010*) (a) Any municipality may,
 148 by affirmative vote of its legislative body, enter into a written
 149 agreement with any party owning or proposing to acquire an interest
 150 in real property in such municipality, or with any party owning or
 151 proposing to acquire an interest in air space in such municipality, or

152 with any party who is the lessee of, or who proposes to be the lessee of,
153 air space in such municipality in such a manner that the air space
154 leased or proposed to be leased shall be assessed to the lessee pursuant
155 to section 12-64 of the general statutes, fixing the assessment of the real
156 property or air space which is the subject of the agreement, and all
157 improvements thereon or therein and to be constructed thereon or
158 therein, subject to the provisions of subsection (b) of this section, (1) for
159 a period of not more than seven years, provided the cost of such
160 improvements to be constructed is not less than three million dollars,
161 (2) for a period of not more than two years, provided the cost of such
162 improvements to be constructed is not less than five hundred
163 thousand dollars, or (3) to the extent of not more than fifty per cent of
164 such increased assessment, for a period of not more than three years,
165 provided the cost of such improvements to be constructed is not less
166 than twenty-five thousand dollars.

167 (b) The provisions of subsection (a) of this section shall only apply if
168 the improvements are for at least one of the following: (1) Office use;
169 (2) retail use; (3) permanent residential use; (4) transient residential
170 use; (5) manufacturing use; (6) warehouse, storage or distribution use;
171 (7) structured multilevel parking use necessary in connection with a
172 mass transit system; (8) information technology; (9) recreation
173 facilities; or (10) transportation facilities.

174 (c) Any municipality seeking reimbursement pursuant to subsection
175 (a) of this section shall, upon the vote of its legislative body pursuant
176 to this subsection, provide the Secretary of the Office of Policy and
177 Management and the Commissioner of Economic and Community
178 Development with information, including, but not limited to, the
179 location of the business, the NAICS code of such business, the amount
180 to be reimbursed, the term of the benefit and such other information
181 that said secretary or commissioner deem necessary.

182 (d) The authority of a municipality to enter into an agreement with
183 any such party under subsection (a) of this section shall remain in
184 effect for a period of ten years following the date on which such

185 municipality entered into the first such agreement.

186 (e) The state shall make an annual grant payment to each
187 municipality entering into an agreement under subsection (a) of this
188 section with respect to property located in an airport development
189 zone in the amount of forty per cent of the amount of that tax revenue
190 which the municipality or district would have received except for the
191 provisions of subsection (a) of this section. On or before the first day of
192 August of each year, each municipality shall file a claim with the
193 Secretary of the Office of Policy and Management for the amount of
194 such grant payment to which such municipality is entitled under this
195 section. The claim shall be made on forms prescribed by the secretary
196 and shall be accompanied by such supporting information as the
197 secretary may require. Any municipality which neglects to transmit to
198 the secretary such claim and supporting documentation as required by
199 this section shall forfeit two hundred fifty dollars to the state, provided
200 the secretary may waive such forfeiture in accordance with procedures
201 and standards adopted by regulation in accordance with chapter 54 of
202 the general statutes. The secretary shall review each such claim as
203 provided in section 12-120b of the general statutes. Any claimant
204 aggrieved by the results of the secretary's review shall have the rights
205 of appeal as set forth in section 12-120b of the general statutes. The
206 secretary shall, on or before the December fifteenth next succeeding the
207 deadline for the receipt of such claims, certify to the Comptroller the
208 amount due under this section, including any modification of such
209 claim made prior to December fifteenth, to each municipality which
210 has made a claim under the provisions of this section. The Comptroller
211 shall draw an order on the Treasurer on or before the fifth business
212 day following December fifteenth, and the Treasurer shall pay the
213 amount thereof to each such municipality or district on or before the
214 following December thirty-first. If any modification is made as the
215 result of the provisions of this section on or after the December first
216 following the date on which the municipality has provided the amount
217 of tax revenue in question, any adjustment to the amount due to any
218 municipality for the period for which such modification was made

219 shall be made in the next payment the Treasurer shall make to such
220 municipality or district pursuant to this section. The amount of the
221 grant payable to each municipality in accordance with this section
222 shall be reduced proportionately in the event that the total amount of
223 the grants payable to all municipalities exceeds the amount
224 appropriated.

225 Sec. 7. (NEW) (*Effective from passage and applicable to income years*
226 *commencing on or after January 1, 2011*) (a) There shall be allowed as a
227 credit against the tax imposed by chapter 208 of the general statutes for
228 any business occupying a property located in the airport development
229 zone established by section 5 of this act for which a municipality was
230 reimbursed pursuant to section 6 of this act in an amount equal to the
231 following percentage of that portion of such tax which is allocable to
232 that property: (1) Thirty per cent, if there are twenty-five or more but
233 not more than one hundred fifty new employees working at such
234 property; or (2) fifty per cent if there are one hundred fifty or more
235 new employees working at such property. Businesses seeking a credit
236 pursuant to this section shall apply to the Department of Revenue
237 Services upon authorization of municipal reimbursement pursuant to
238 section 6 of this act. As used in this subsection: (A) "New employee"
239 means a person hired by a taxpayer to fill a position for a new job or a
240 person shifted from an existing location of the taxpayer outside this
241 state to a business entity in this state, provided (i) in no case shall the
242 total number of new employees allowed for purposes of this credit
243 exceed the total increase in the taxpayer's employment in this state,
244 which increase shall be the difference between (I) the number of
245 employees employed by the taxpayer in this state at the time of
246 application to the Commissioner of Revenue Services for such credit
247 plus the number of new employees who would be eligible for
248 inclusion under the credit allowed under this subsection without
249 regard to this calculation, and (II) the highest number of employees
250 employed by the taxpayer in this state in the year preceding the
251 taxpayer's application to the Commissioner of Revenue Services for
252 such credit, and (ii) a person shall be deemed to be a "new employee"

253 only if such person's duties in connection with the operation of the
254 facility are on a regular, full-time or equivalent or full-time and
255 permanent basis; and (B) "new job" means a job that did not exist in the
256 business of a taxpayer in this state prior to the taxpayer's application to
257 the Commissioner of Revenue Services for such credit and that is filled
258 by a new employee, but does not include a job created when an
259 employee is shifted from an existing location of the taxpayer in this
260 state to the property.

261 (b) The credit allowed by this section may be claimed only by the
262 initial occupant or occupants of the property. The credit may first be
263 claimed on the tax return for the taxpayer's income year which begins
264 during the calendar year next succeeding the calendar year in which
265 the taxpayer was issued an eligibility certificate, and may be claimed in
266 each of the following nine income years. If within such period,
267 however, any property ceases to meet the job creation target under
268 which it qualified for the credits, or any occupant ceases to be an
269 occupant, the entitlement to the credit allowed by this section shall
270 terminate in the income year in which the qualification or occupancy
271 ceases, and there shall not be a pro rata application of the credit to
272 such income year.

273 (c) Any subsequent occupant or occupants of the property may
274 claim the credit allowed by this section in accordance with subsection
275 (b) of this section but only after submitting an application to the
276 Department of Revenue Services on a form prescribed by such
277 department.

278 (d) The Commissioner of Economic and Community Development
279 shall, upon request, provide a copy of the information received from a
280 municipality pursuant to subsection (a) of section 6 of this act, to the
281 Commissioner of Revenue Services.

282 Sec. 8. Subdivision (43) of section 12-412 of the general statutes is
283 repealed and the following is substituted in lieu thereof (*Effective*
284 *October 1, 2010, and applicable to sales occurring on or after said date*):

285 (43) Sales of any replacement parts for machinery to any business
 286 entity located in any enterprise zone designated pursuant to section
 287 32-70 or in the airport development zone established by section 5 of
 288 this act for use within such zone.

289 Sec. 9. (NEW) (*Effective from passage*) The Bradley Board of Directors
 290 may contract with the Connecticut Center for Advanced Technology to
 291 help manufacturers and technology-based businesses locating in the
 292 airport development zone established by section 5 of this act, to obtain
 293 job training services from the state's community technical colleges and
 294 other training providers."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	15-101mm(b)
Sec. 2	<i>July 1, 2009</i>	15-101nn
Sec. 3	<i>July 1, 2009</i>	15-101oo
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>October 1, 2010, and applicable to assessment years commencing on or after October 1, 2010</i>	New section
Sec. 7	<i>from passage and applicable to income years commencing on or after January 1, 2011</i>	New section
Sec. 8	<i>October 1, 2010, and applicable to sales occurring on or after said date</i>	12-412(43)
Sec. 9	<i>from passage</i>	New section